

## **Region 3 GPRA Baseline RCRA Corrective Action Facility**

# **Marjol Battery Site (Gould)**

**600 Delaware Street  
Throop, PA 18512  
Congressional District 10  
EPA ID #: PAD003041910  
Last Updated 06/29/05**

## **Current Progress at the Site**

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EPA and PADEP are co-signatories to a RCRA Administrative Order on Consent (Consent Order) pursuant to Section 3008(h) of the RCRA, with Gould. As co-signatories, EPA and PADEP are both responsible for the enforcement, oversight, and implementation of the provisions of the Order. Under the terms of this Order, Gould conducted a RCRA Facility Investigation (RFI) and a Corrective Measures Study (CMS).

The purpose of the RFI was to characterize the nature and extent of any contamination present at the facility. The RFI Report was approved by EPA and PADEP in 1994 following an intense review process. Gould submitted a CMS Report to EPA in 1995. The CMS Report contains Gould's preferred remedy for the Site. EPA and PADEP disapproved the CMS Report in September 1995. The local community commented extensively on the CMS Report. EPA met bimonthly with the Throop Borough Council and local citizens to address their concerns regarding Gould's preferred remedy for the Site. The most significant concern to the local community was and remains the presence of abandoned mines beneath the Site and any impact they may have on the selected remedy. In November 1997, following a two year period of intense comment and response, EPA submitted a final response to Gould on the CMS Report. In this response, EPA identified the deficiencies in the CMS Report and required Gould to conduct a Mine Subsidence Investigation. The Mine Subsidence Investigation was conducted at the Site between September and November 1998. In March 1999, EPA and PADEP approved the work completed during this investigation. The results of the Mine Subsidence Investigation were incorporated into the revised CMS Report submitted by Gould on June 21, 1999.

On October 15, 1999, EPA and PADEP released a Statement of Basis which described the proposed remedy for the Site. A public comment period extended from November 1, 1999 to January 15, 2000. During this time several hundred comments were received by EPA from concerned citizens, elected officials, and Gould. EPA carefully evaluated all comments received and issued its final cleanup decision in a document entitled "Final Decision and Response to Comments" dated December 1, 2000.

On December 1, 2000, EPA released its final remedy decision to clean up contamination at the Marjol Battery Site. EPA selected the following actions to clean up the contaminated soils and waste material at the Site:

- excavation of contaminated soil from areas of the site subject to (pothole) mine subsidence and consolidation beneath a cap;
- on-site treatment and capping of contaminated soil and waste material;

- off-site disposal of contaminated soil and waste material, as necessary, to protect the cap structure;
- protective dust control measures to prevent contaminant releases during remedy implementation;
- protective measures to prevent contaminant releases to Lackawanna River water and sediment;
- measures for the long-term protection and maintenance of the cap; and
- performance of on-site and off-site sampling to ensure that soil cleanup standards are achieved.

Due to community concerns regarding the cleanup of the Site, EPA's National Ombudsman reviewed the final remedy decision. EPA suspended implementation of the final remedy decision on December 18, 2000, to allow the Ombudsman time to provide recommendations to EPA. The Ombudsman issued a preliminary report in October 2001. EPA Region 3 submitted a response in November 2001. A final Ombudsman Review Report was issued on May 18, 2004.

The final Ombudsman Review Report included an evaluation of the mining-related issues by an independent mining expert. The Report makes two recommendations:

1. Calculate the surface strains from any expected subsidence and design, and implement the cap to meet or exceed those calculations to make a more reliable cap, since we believe this will improve the final remedy at the Site, and
2. Work with Gould, PADEP, and the Borough of Throop to reach agreement on the method, such as borehole drilling, to properly address the safety issue of potential mine-fire hazard associated with the Top Split Four Foot and Top Four Foot Coal seams on the Marjol site.

Region III issued a response to the Report on August 16, 2004. In our response we agree to implement both recommendations. Our response also includes a discussion of the appropriate scope of work for the recommended mine fire hazard assessment. We have discussed the recommendations with the PADEP Marjol review team. They agree with the scope of work for implementation of the recommendations. On August 26, 2004, the Ombudsman accepted the Region's response and proposal to implement the Report's recommendation.

Since August 2004, EPA and PADEP have been working with Gould and Throop Borough representatives to determine a scope of work for the additional mine fire hazard assessment.

Gould Incorporated (Gould), the property owner, conducts regular maintenance activities to prevent the release and/or migration of contaminants from the Facility. Since current on-site risks have been effectively controlled, EPA's final remedy for the Site is based on long-term control of remaining contaminated soil and waste material to prevent potential future releases and exposures to human health and the environment.

## Site Description

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The Marjol Battery and Equipment Company is a former battery processing facility located on a 43.9-acre parcel in the Borough of Throop, Lackawanna County, Pennsylvania. From 1963 to

1981, Marjol operations involved battery crushing, lead reclamation, and on-site disposal of spent battery casings. As a result of the plant operations, the ground surface at the Site became contaminated with lead. Fugitive dust emissions and lead contained in on-site soils were carried off-site by prevailing winds. Storm water runoff carried lead contaminated soil off-site into adjacent drainage ways. Sulphur Creek, which borders the facility, was also contaminated with lead. The sediments in the Lackawanna River, which is adjacent to the Site, became contaminated with lead. In May 1980, Gould purchased the Marjol Battery and Equipment Company and subsequently shut down plant operations in April 1982. The site is now stabilized to prevent the continuing release of contamination from the site.

## **Site Responsibility**

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In April 1988, EPA issued a Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Administrative Order on Consent to Gould to address the cleanup of lead from residential areas surrounding the Marjol facility. The current environmental conditions and cleanup of the property are being handled under the Resource Conservation and Recovery Act (RCRA ) Program. In May 1990, EPA and PADEP entered into a RCRA 3008(h) Administrative Order on Consent with Gould. The purpose of the Order was to direct Gould to conduct a RCRA Facility Investigation to determine the nature and extent of contamination at the Site. The Order also required a Corrective Measure Study to identify remedial options to cleanup on-Site contaminants.

## **Contaminants**

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Lead is the primary constituent of concern at the Site. Lead is present in approximately 372,000 cubic yards of contaminated soil, battery casing material, and debris at the Site. Polyaromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs) were identified in surface soil in former operational areas on Site. Lead was also identified in off-site soils in the surrounding community.

In June 1987, EPA determined that an imminent and substantial endangerment to the public health, welfare, and the environment may be present as a result of the release of lead from the Marjol site. In April 1988, EPA issued a CERCLA Consent Agreement and Order (Order) to Gould to address this potential health threat. Contaminated surface soil was removed from 135 residential and commercial properties near the Marjol Site which exhibited lead at levels greater than 500 milligrams per kilogram (mg/kg). EPA determined that levels below 500 mg/kg were not harmful to human health. Lead dust was also removed from the interior of 107 residential units. In addition, actions were taken at the Site to prevent further releases of lead contamination from the property into the surrounding community.

## **Community Interaction**

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EPA has kept the concerned citizens of Throop informed about the human health and environmental concerns related to the Site, since it first became involved with the Site in 1987. EPA and PADEP participated in monthly meetings of the Throop Borough Council and Citizens Review Committee for many years. On January 11, 2000, EPA held a public hearing on the selected remedy. EPA held briefings for elected officials on its proposed and final remedies. EPA continues to be available to respond to local citizens concerns about the Site.

# Institutional Controls

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Since the remedy is a permanent containment landfill, controls will be required to prevent any unauthorized breach of the landfill cap. The area surrounding the landfill will be cleaned up to allow unrestricted use.

The groundwater aquifer is not impacted by the site contamination. The aquifer beneath the site is a Class III aquifer that is not suitable as a water supply source. Therefore, no site controls on groundwater use are required.

# Government Contacts

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EPA Project Manager  
Ms. Maureen Essenthier - 3WC22  
1650 Arch Street  
Philadelphia, PA 19103-2029  
Phone: (215) 814-3416  
Email: [essenthier.maureen@epa.gov](mailto:essenthier.maureen@epa.gov)

Mr. Len Zelinka  
Project Manager  
Pennsylvania Department of Environmental Protection  
Hazardous Sites Cleanup Program  
2 Public Square Commons  
Wilkes-Barre, PA 18711  
Phone: (570) 826-5441  
Email: [lzelinka@state.pa.us](mailto:lzelinka@state.pa.us)

For more information about EPA's corrective action webpage, including Environmental Indicators, please visit our site at: [www.epa.gov/reg3wcmd/correctiveaction.htm](http://www.epa.gov/reg3wcmd/correctiveaction.htm)

# Facility Contacts

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Ms. Lisa Ayers  
Community Relations Representative  
Marjol Battery  
400 Delaware Street  
Throop, PA 18512  
Phone: (570) 383-9313

James F. Cronmiller, Director  
Corporate Environmental Affairs  
Gould Electronics Inc.  
34929 Curtis Boulevard  
Eastlake, OH 44095-4001  
Phone: (440) 953-5044

Advances GeoServices (contractor)  
Barbara Forslund  
Phone: (610) 840-9100